

FISCAL IMPACT STATEMENT ON BILL NO. **S. 485**

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney Grizzle, Ken Brown, Torina Wood, Allan Kincaid and Harry Bell		
DATE:	March 27, 2007	SBD:	2007228

AUTHOR:	Senator Hayes	PRIMARY CODE CITE:	56-1-10
SUBJECT:	DUI		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
A Cost of Federal and/or Other Funds (See Below)

BILL SUMMARY:

Senate Bill 485 amends the Code of Laws of South Carolina, 1976, as it relates to the offense of Driving Under the Influence "DUI" by creating a tiered system for the defined offense based upon the blood alcohol level of the individual.

EXPLANATION OF IMPACT:

Department of Motor Vehicles

The Department indicates this Bill will have a nonrecurring impact on Other Funds of approximately \$76,465 for cost associated with computer programming and testing of the system and training materials publication and distribution.

Judicial Department

The Department indicates this Bill will have an impact on the General Fund of the State due to the enhanced penalties of the Bill. The Department is unable to provide an approximate cost of the total impact to the agency. However, should the number of cases exceeds what the current pool of circuit court judges can absorb, delays in the circuit court docket can be expected and additional judges would be needed. The cost associated with the addition of one (1) new Circuit Court Judge and staff (administrative assistant, court reporter and law clerk) is approximately \$347,327 for personal services and associated operating expenses and \$20,510 of non-recurring cost for automation and furniture. The addition of a new judge would also require more courtroom space, an expense borne by county government

State Law Enforcement Division – SLED

The Agency indicates it would have a minimal impact on the General Fund of the State that can be absorbed within its current level of funding.

Department of Corrections (SCDC)

The Department indicates this Bill will have a minimal impact on the General fund of the State, which can be absorbed by the agency at the current level of funding. In FY 2005-06 SCDC admitted 111 inmates whose most serious offenses were "DUI". Of the total, 68 were DUI 2nd offense; 20 DUI 3rd offense; 12 DUI 4th/subsequent offenses and the 11 were not identifiable by court administrative codes.

Department of Public Safety

The Department indicates this Bill would have no impact on the General Fund of the State or Federal and/or Other Funds as the Bill merely amends the law relating to definition of terms with regards to the Department of Motor Vehicles

Department of Alcohol and Other Drug Abuse Services

The Department indicates this Bill would have a minimal impact on the General Fund of the State that could be absorbed within its current level of funding. The cost of providing the treatment programs required under this Bill would be covered through client fees. The Department does anticipate some bad debt expenses as treatment programs can be accessed regardless of a client's ability to pay.

LOCAL GOVERNMENT IMPACT:

Responses from local governments indicate enactment would have little or no impact on expenditures.

SPECIAL NOTES:

None.

Approved by:

A handwritten signature in black ink that reads "Harry Bell". The signature is written in a cursive style with a large, looped initial "H".

Harry Bell
Assistant Director, Office of State Budget